

**U.S. Department of Justice**



*United States Attorney  
Southern District of New York*

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*The Silvio J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007*

July 13, 2020

**BY ECF**

The Honorable Richard M. Berman  
United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

Re: ***United States v. Harald Joachim von der Goltz, Richard Gaffey, 18 Cr. 693 (RMB)***

Dear Judge Berman:

The Government respectfully submits this letter, with the consent of defendants Harald Joachim von der Goltz and Richard Gaffey, to request one-week extensions until July 23, 2020 and July 27, 2020, respectively, to submit its sentencing submissions for the two defendants. Von der Goltz's sentencing date is set for September 21, 2020 at 11:00 AM, and Gaffey's sentencing date is set for September 24, 2020 at 10:30 AM. This is the second request from the Government for an extension of time.

The Government respectfully requests this brief adjournment for two reasons. First, the Government has had significant technical issues which have prevented the undersigned from working remotely in an effective manner. Most pressingly, the undersigned's work computer effectively ceased to function on or about July 2, 2020, and required a replacement, which was obtained today.

Second, von der Goltz's sentencing submission raises concerns regarding his immigration status and his deportation upon completion of any sentence that may be imposed by the Court; namely, whether he would have to be detained by ICE while awaiting deportation. The Government has been working with individuals at the Department of Homeland Security in order to facilitate the defendant's deportation, including through the entry of a Judicial Removal Order. The Government has sent that proposal to the defendant, and is working to determine whether it can facilitate von der Goltz's voluntary departure, if he consents to the Judicial Removal Order, from the country while avoiding ICE detention pending his deportation. Additional time would allow the parties to explore a solution to the issues raised in von der Goltz's submission regarding his immigration status.

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The Government has conferred with defense counsel William Burck and William Lovett and Robert Buehler, who consent to this request.

For the above reasons, the Government respectfully requests that its sentencing submissions be due on July 23, 2020 and July 27, 2020, for von der Goltz and Gaffey, respectively.

Respectfully submitted,

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cc: Defense Counsel (by ECF)